## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Wesley Leo Kim

Art Unit: 2617

In re Application of: Dany Sylvain

Serial No. 10/784,743

Filed: 02/23/2004

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**SERVICE** 

For:

Mail Stop Amendment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant requests consideration of this Information Disclosure Statement.

Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO 1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

It is respectfully requested that:

- 1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- 2. The enclosed form PTO 1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
- 3. The citations for the information be printed on any patent which issues from this application;

In addition to the references cited in the attached PTO Form 1449, Applicant attaches herewith as Appendix A a copy of an Office Action having a mailing date of December 11, 2008 issued by the Patent Office during the prosecution of U.S. Patent Application No. 10/693,539.

By submitting this Information Disclosure Statement, Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist. Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102. Notwithstanding any statements by Applicant, the Examiner is urged to form his own conclusions regarding the relevance of the cited information.

Applicant declares that no item of information contained in this information disclosure statement was cited in a communication form a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of the information disclosure statement. As such, **Applicant believes that no fee is required for this information disclosure statement**. However, the Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment, to Deposit Account No. 50-1732.

An early and favorable action is hereby requested.

Respectfully submitted,

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Date: <u>December 22, 2008</u> Attorney Docket: 7000-272